

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

CONTROL COMPONENTS, INC.,	§
	§
Plaintiff,	§
	§
VS.	§ CIVIL ACTION NO. H-08-0338
	§
KOSO AMERICA, INC., <i>et al.</i> ,	§
	§
Defendants.	§

AGREED ORDER

Control Components, Inc. (“CCI”) brings this suit against defendants, Koso America, Inc., d/b/a Rexa Koso America and/or Rexa/Koso America (“Koso”), Juan Ricardo Simeoni (“Simeoni”), David Minoofar (“Minoofar”), Vinay Nagpal (“Nagpal”) and Sanjay Sherikar (“Sherikar”) (collectively Simeoni, Minoofar, Nagpal and Kherikar are referred to as the “Individual Defendants”). CCI seeks among other things, injunctive relief. The court entered a Temporary Restraining Order *ex parte* on January 30, 2008 to ensure that evidence in the case was preserved. On February 11, 2008, before the Individual Defendants had appeared, the court extended the Temporary Restraining Order for an additional period but with the understanding that once the Individual Defendants obtained representation and appeared, they would work with opposing counsel to reach an agreed preservation order. An agreed preservation order pertaining to the Individual Defendants and CCI was entered on February 20, 2008. This order extends many of the provisions in that order to Koso.

Based on the parties' respective positions and submissions, the court now enters this agreed order pending the preliminary injunction hearing scheduled for April 21, 2008.

It is ordered that:

1. Defendant Koso may not use or disclose CCI's trade secrets or proprietary or confidential information, or copies of trade secrets or proprietary or confidential information, obtained from CCI.
2. Defendant Koso may not destroy, delete, or alter any copies or originals of data, documents, electronic information, or technical information obtained from CCI and in the Defendants' possession or control.
3. Defendant Koso's agreement to the entry of this Order does not waive any defenses that Defendant Koso may wish to assert, including, but not limited to, defenses specified under Federal Rule of Civil Procedure 12(b), such as jurisdiction and venue challenges, and the right to seek to compel arbitration of the issues in dispute.
4. CCI will maintain and preserve documents, tangible information, and electronically stored information pertaining to the issues in this litigation, including but not limited to the Individual Defendants' personnel files, all contracts and agreements with the Individual Defendants, all statements of the Individual Defendants, documents signed by the Individual Defendants, all computers or electronic media used by the Individual Defendants, correspondence and memoranda mentioning the Individual Defendants, and documents or

information reflecting efforts by CCI to protect trade secrets or confidential or proprietary information or its disclosure of such information to third parties.

SIGNED on February 28, 2008, at Houston, Texas.



Lee H. Rosenthal
United States District Judge